



State of Tennessee Department of Children's Services

## **Administrative Policies and Procedures: 4.8**

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### **Subject: Drug Free Workplace**

Supersedes: DYD 3.26, 01/01/92

**Local Policy: No**

**Local Procedures: No**

**Training Required: No**

**Approved by:**

**Effective date: 04/01/98**

**Revision date:**

### **Application**

To All Department of Children's Services Employees.

**Authority:** Dept. of Personnel Memo, 47-USC-701; TCA 37-5-106

### **Policy**

Illegal and excessive use of drugs has become an epidemic in our state. Any abuse and use at the workplace are subjects of immediate concern in our society. From a safety perspective, the users of drugs may impair the well-being of all employees, the public at large, and result in damage to state property. Drug use may also seriously impair an employee's ability to perform his or her job; therefore, it is the policy of the State of Tennessee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the state's workplace is prohibited. Any employee violating this policy will be subject to disciplinary action up to and including termination.

### **Procedures**

#### **A. Employee conviction for drugs**

1. Each employee is required by law to inform his/her supervisor within this agency within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on state property. A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a judge or jury in any federal or state court.
2. The Department of Children's Services staff administering any federal grant funds must then notify the U.S. Government agency with which the grant was made within

ten (10) days after receiving notice from the employee or otherwise receiving actual notice of such a conviction.

3. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to discipline up to and including termination. Alternatively, the Department may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.

**B. Drug free work place awareness**

1. As part of the department's drug-free workplace awareness program, \*a copy of the department's drug free workplace policy must be available to each employee. A copy of this policy will be provided with the new employee packet information to all new hires.
2. Each employee will be required to certify their acknowledgment of this policy. Such acknowledgments shall be maintained in the employee's personnel file. Copies of these forms may be obtained through central office personnel.
3. Employees will be made aware of the state's Employee Assistance Program (EAP) and will be encouraged to seek assistance with any drug or alcohol related problems.
4. As a condition of employment or continued employment in any position funded by a federal government grant, the law requires all employees to abide by this policy.

**Forms**

PR-0278      Acknowledgment of Drug Free Work Place Policy

**Collateral Documents**

*None*

**Standards**

ACA 3-JCRF 1C-05

ACA 3-JTS-1C-17